

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

JUDGMENT IN A CIVIL CASE

GAYLE A. WASDSWORTH, o/b/o )  
KENT E. WADSWORTH, deceased )  
 )  
vs. ) Case No. 08-0721-CV-W-RED-SSA  
 )  
MICHAEL J. ASTRUE. )  
 )

— Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X Decision by Court. This action came to decision before the Court. The issues have been determined and a decision has been rendered.

Upon review of the record, pursuant to sentence four of 42 U.S.C. Section 405(g), the Court orders that final judgment be entered **REVERSING** the decision of the Administrative Law Judge and **REMANDING** the case to the Commissioner for action in accordance with the Court's Order (doc. 9). *See Brown v. Barnhart*, 282 F. 3d 580, 581 (8<sup>th</sup> Cir. 2002) (finding that a District Court must enter a final judgment in order to invoke the statutory "power" to remand pursuant to sentence four).

IT IS FURTHER **ORDERED** that on remand, the Administrative Law Judge shall (1) evaluate the medical records discussed in the Court's order and determine whether those medical records merit a different disability determination; (2) re-evaluate the weight to give Dr. Kaplan's opinions in light of the medical records discussed in the Court's order; and (3) conduct any other proceedings deemed necessary to effectuate the Court order on remand.

**IT IS SO ORDERED.**

April 17, 2009  
Date

Ann Thompson  
Clerk

Entered on: April 20, 2009

s/ Karen. Siegert  
(By) Deputy Clerk